

January 13, 2004

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**SET PUBLIC HEARING AND ADOPT RESOLUTION  
FOR SPECIAL TAX MEASURE ELECTION  
IN CITY OF WALNUT ON APRIL 13, 2004 (1)  
(3-VOTES)**

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Set a public hearing for January 13, 2004 for the purpose of considering the resolution submitted by the City of Walnut requesting the Board to place the County Library's special tax measure on the City's April 13, 2004 election ballot.
2. Following the public hearing, adopt the attached resolution for the City of Walnut instructing the City Clerk of the City of Walnut to take any and all steps necessary to submit the question of the special tax to the qualified voters within the City at the April 13, 2004 election.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Approval of the recommended actions will set a public hearing date for the Board to consider the request from the City of Walnut, which is served by the County Library but not currently participating in the Library's special tax, to be included in the special tax program by placing the special tax measure on the City's election ballot on April 13, 2004.

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On June 23, 2003 the Board approved a motion to restore \$7.3 million to the Public Library's 2003-04 budget. That motion was approved with a requirement that all cities served by the County Library that are not currently participating in the Library's special tax place a measure on their local ballot by June 30, 2004 to give their voters the opportunity to vote on whether to participate in the special tax.

On December 10, 2003 the City Council of the City of Walnut adopted a resolution requesting the Board of Supervisors to provide for a special election placing the County's Library special tax measure on the ballot for the City's election on April 13, 2004.

In order to respond to the City's request, the Board must set and conduct a public hearing to consider the City's request. In addition, the Board must adopt its own resolution to place the measure on the ballot.

### **Implementation of Strategic Plan Goals**

Approval of the recommended actions is consistent with the County's Strategic Plan in the area of fiscal responsibility to effectively manage financial resources and to financially stabilize the County.

### **FISCAL IMPACT/FINANCING**

Placing this measure on an individual city ballot may incur additional election costs for the County. However, for the City of Walnut, the resolution adopted by the City Council (Attachment 1) provides for reimbursement to the County for additional election costs, if any. In addition, the City has also clarified in the attached letter dated January 6, 2004 its agreement to pay for the regular election costs of conducting this election in conjunction with its municipal election. (See Attachment 2.)

On December 9, 2003 your Board approved a motion with the following provisions regarding payment of the County's election costs for the special tax measure: in the event that the special tax measure is approved by the voters, the election costs will be repaid, at the city's option, from either a portion of the special tax collections for the respective city or from city funds; or, in the event that the election is unsuccessful, the respective city will repay the costs of the election from city funds.

If the special tax measure is approved by the City's voters, the County will be able to include the City of Walnut in the Library's special tax program and levy the special tax against parcels within the City in the same amounts and for the same purposes as the special tax is levied by the County against parcels in other portions of the Library's service area to fund library services and facilities.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The County Public Library's special tax was created by voter approval of Proposition L at the June 3, 1997 special election, and the tax was first levied for the 1997-98 Fiscal Year. The special tax is currently levied in 11 cities and the unincorporated areas served by the Public Library. The special tax rate for Fiscal Year 2003-04 is \$24.76 per parcel.

A city that is not currently participating in the special tax may do so by submitting the matter to the qualified voters in the city and obtaining approval of the measure by two-thirds of the voters. The City of Walnut has adopted a resolution requesting that the Board place the measure on the ballot for its April 13, 2004 election. In addition, the City has submitted the attached letter (Attachment 2) agreeing that the City will conduct the election at its cost. In the event that the special tax measure is approved, the County will reimburse the City's election costs associated with the special tax from the tax proceeds.

The latest date the Board can act to put a measure on the April ballot is January 16, 2004. To take such an action, the Board must set and conduct a public hearing, and adopt a resolution placing the measure on the ballot pursuant to Government Code Section 50077. It is recommended that the Board set a public hearing for Tuesday, January 13, 2004 to consider the resolution submitted by the City of Walnut requesting that the special tax be placed on its April 13, 2004 ballot. Attachment 3 is a resolution prepared by County Counsel for that purpose. It is further recommended that the Board adopt the attached resolution following the close of the public hearing.

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### **IMPACT ON CURRENT SERVICES**

If more cities participate in the Public Library's special tax it will provide additional revenue to augment service levels in those cities, or to offset the impact of other potential revenue losses or budget reductions. Due to the County's serious budget constraints, this potential source of additional revenue could be a key to maintaining or supplementing existing service levels for cities served by the County Library. If cities choose not to participate in the special tax program, the service levels provided will be based on available revenue from other sources, and continuation of current service levels cannot be assured.

Respectfully submitted,

Margaret Donnellan Todd  
County Librarian

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### **Attachments**

c: Chief Administrative Officer  
County Counsel  
Registrar-Recorder/County Clerk